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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/581,477	04/21/2008	Clemens De Vroome	6003.1074	3894
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Davidson, Davidson & Kappel, LLC			EXAMINER	
485 7th Avenue			NGUYEN, ANTHONY H	
14th Floor				
New York, NY 10018			ART UNIT	PAPER NUMBER
			2854	
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			01/26/2010	PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

### Office Action Summary

**Application No.**

10/581,477

**Applicant(s)**

DE VROOME ET AL.

**Examiner**

ANTHONY H. NGUYEN

**Art Unit**

2854

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 22 December 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 11, 13-17 and 19-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11, 13-17 and 19-24 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB-06)  
Paper No(s)/Mail Date \_\_\_\_\_

- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(c), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(c) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on December 22, 2009 has been entered.

### ***Claim Rejections - 35 U.S.C. § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 11, 13-17 and 19-24 are rejected under 35 U.S.C. § 103 (a) as being unpatentable over Quadracci (US 5,108,531) in view of Heikkila et al. (US 6,311,410).

With respect to claims 11 and 19, Quadracci teaches a web-fed rotary press 10 and method for printing on a web 30 having a web guide 19 for guiding a web along a path through a printing unit 20, a dryer 22 for drying the printed web and additional devices 14, 15 which are positioned upstream of the printing unit 20 for inputting or supplying heat on a web along the path as shown in the Figure. Quadracci does not clearly teach the additional device for inputting heat which is being fed from the exhaust air from the dryer. Heikkila et al. teach a device and

method for drying a web having a dryer 18 or 32 including a heat source 16 in which heat is fed from the exhaust air from a dryer 34 or 36 via a fan 14 (Figs. 3, 5 and 6). In view of the teaching of Heikkila et al., it would have been obvious to one of ordinary skill in the art to modify the press of Quadracci by substituting the dryer which is being fed by energy from the exhaust air of a dryer as taught by Heikkila et al. in place of the addition device 14 of Quadracci to improve the efficiency of using energy for heating a web.

With respect to claim 13, Quadracci and Heikkila et al. teach all that is claimed, except the steam-heatable roller in an additional device. However, the use of steam-heatable roller in an additional device (a dryer) is well known in the art. It would have been obvious to one of ordinary skill in the art to modify the dryer of Quadracci and Heikkila et al. to use the well known steam-heatable roller in Quadracci for the advantage of providing separate heating system in an additional device giving the user a choice of heating system to use with a printing press.

With respect to claim 14, the selection of a desired position for the cooling unit along a feed path such as the last position of a selected additional device along the feed path would be obvious through routine experimentation depending upon a desired printing configuration.

With respect to claim 15, the device of Quadracci includes a plurality of chill rolls 15 (Quadracci, col.3, line 31).

With respect to claims 16-17 and 20-24, the use of lateral tension device such as a motorless belts or a plurality of gripper or the use water-heatable roller, a microwave source, an infrared light source for inputting heat is well known in the art. For example, see Heikkila et al.,

col.1, second paragraph. Also, it is noted that those devices are well known is clearly apparent in the fact that applicant does not disclose any specific structure for the devices.

***Response to Arguments***

Applicant's arguments with respect to claims 11, 13-17 and 19-20 have been considered but are moot in view of the new ground(s) of rejection.

Applicant argues that the dryer 14 of Quadracci is different from the "at least one additional device" because the dryer is not fed by energy from the exhaust air from the dryer 22, and that Heikkila et al. does not teach a dryer for expelling moisture from the web since the dryer merely heats the web.

However, as explained above, while Quadracci does not teach the additional device (i.e. the dryer 14) which is fed by energy from the exhaust air from a dryer, Heikkila et al. clearly teach the additional device (a dryer 32) which is fed by energy from a dry 34 or 36. Note that Heikkila et al. teaches clearly the dryer which expelling moisture (i.e. air humidity) from the web to the aggregate 26 and some moisture returns to dryer via the aggregate 24 (Fig.3, col.5 second paragraph). Also, Quadracci teaches that the additional device (a dryer 14) is used to heat the web 32 "to reduce the moisture content of web 30 prior to printing" (col.3, lines 40-42). Clearly, the webs in Quadracci or Heikkila et al. are heated or are provided with supplying heat to reduce moisture or "expelling moisture from the web substrate" as recited in claims 11 and 19. Therefore, the combination of Quadracci and Heikkila et al. renders obvious the structure as recited in the claims 11 and 19.

Applicant argues that one of ordinary skill in the art would not have had any reason to combine Quadracci and Heikkila et al. to provide the "supplying" step of claim 19.

As discussed above, the webs in Quadracci or Heikkila et al. are heated or provided with supplying heat to reduce moisture or “expelling moisture from the web substrate” as recited in claims 11 and 19. Note that it would have been obvious to one of ordinary skill in the art to use the dryer 32 (segment 32) as taught by Heikkila et al. in place of dryer 14 of Quadracci to heat the web so that the heating reduces moisture content of web or “expelling moisture” from web. Therefore, the chilling rollers 15 of Quadracci (which are similar to applicants' chilling rollers 42 in Fig.2) are used to cool the web without condensation since the moisture in the web is reduced or expelled before reaching the chilling rollers.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Quadracci clearly teach the additional device (dryer 14) for inputting heat into the web substrate and expelling moisture from the web substrate and Heikkila et al. teaches a dryer (i.e., additional device) which is being fed by energy for the exhaust air from the dryer. Therefore, the combination of Quadracci and Quadracci is proper and render obvious the structures and steps as recited in the claims.

In response to applicant's argument that one of ordinary skill in the art would not have had any reason to combine Quadracci and Heikkila et al., the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary

reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anthony Nguyen whose telephone number is (571) 272-2169. The examiner can normally be reached daily from 9 AM to 5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Judy Nguyen, can be reached on (571) 272-2258.

The fax phone number for this Group is (571) 273-8300.

/Anthony H Nguyen/  
Primary Examiner, Art Unit 2854